

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD GREEN,

Plaintiff,

- against -

DOYLE MCCLENDON, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The conference scheduled for July 29, 2010 is adjourned.

The Court has been informed of Mr. McClendon's death. There is a pending motion to withdraw by Mr. McClendon's attorneys. Mr. McClendon's attorneys should file a notice indicating the death of Mr. McClendon. See Fed. R. Civ. P. 25. The motion to withdraw is **granted** effective upon the service of the notice of Mr. McClendon's death.

For the reasons explained on the record today, the pending motions for summary judgment are **denied without prejudice to reinstatement** after the plaintiff determines whether to continue the case against Mr. McClendon's successor and, if so, substitution of a successor. The parties can notify the Court when the motions should be reinstated, and whether the parties wish to alter any of the motions based on the substitution of a successor.

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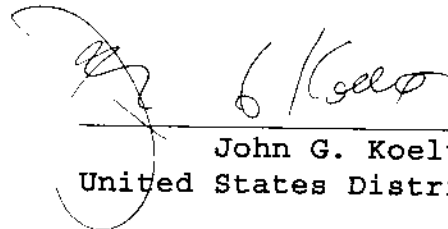
08 Civ. 8496 (JGK)

ORDER

The Clerk is directed to close Docket Nos. 100 and 122.

SO ORDERED.

Dated: New York, New York
July 26, 2010



John G. Koeltl
United States District Judge